

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joel KAUFFMAN et al.

Serial No.: 10/565,414

Filed: 01/23/2006

For: COMPOUNDS THAT ABSORB
ULTRAVIOLET LIGHT, METHODS OF
THEIR PREPARATION AND OPTICAL
LENSES CONTAINING THEM

Group Art Unit: 1626

Examiner: Shterengarts, Samantha L.

Atty. Dkt. No.: ESSR:103US

Confirmation No: 6229

CERTIFICATE OF ELECTRONIC SUBMISSION

DATE OF SUBMISSION: March 30, 2009

REQUEST FOR REFUND OF IMPROPER CHARGE TO DEPOSIT ACCOUNT

MAIL STOP 16 - Refund Branch

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Commissioner:

This is a request for a refund in the amount of \$1,730.00 in the above-identified application which was improperly charged to Fulbright & Jaworski L.L.P. Deposit Account No. 50-1212. This charge is shown on the attached monthly Deposit Account statement for January 2009 and the accompanying transaction detail for the charge on January 9, 2009 (Appendix A). This request for refund is being made within two years of the date of the deposit account statement indicating such charge pursuant to 37 C.F.R. 1.26(b).

The fees charged for which this refund is requested were for fee code 1254, Extension for Response within Fourth Month, and is related to the Response to Restriction Requirement filed by Applicants on December 15, 2008. However, Applicants believe the Office has made in

mistake in charging Applicants' representative's Deposit Account, as the proper fee for a four-month extension, \$1,730.00, was paid by credit card at the time of filing the Response on December 15, 2008, as evidenced by the attached transaction detail from the USPTO Financial Profile showing a payment date of December 16, 2008 (Appendix B).

Therefore, the \$1,730.00 charge for a four-month extension made on January 9, 2009, is duplicative and should be refunded. The Commissioner is hereby requested to make this refund by crediting Fulbright & Jaworski L.L.P. Deposit Account No.: 50-1212/ESSR:103US in the amount of \$1,730.00.

Respectfully submitted,

/Mark B. Wilson/

Mark B. Wilson
Reg. No. 37,259
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
512.536.3035 (voice)
512.536.4598 (fax)
Date: March 30, 2009

APPENDIX A



United States Patent and Trademark Office
Date Printed: 03-30-2009 17:34:46 ET

Deposit Account Statement for - Account#: 501212 (01/2009)

| | | | |
|-------------------|-------------|-----------------------|------------|
| Opening Balance : | \$91,478.00 | Total Sale : | \$6,538.00 |
| Closing Balance : | \$88,604.00 | Total Adjustment : | \$460.00 |
| | | Total Replenishment : | \$3,204.00 |

| Type | Transaction Status | Date Posted | Name/Number | Attorney Docket Number | Charges/Credits (-) | Account Balance |
|---------------|--------------------|-------------|-----------------|------------------------|---------------------|-----------------|
| Sale | Active | 01/02/2009 | 11680375 | UTSJ:050US/10702644 | \$78.00 | \$91,400.00 |
| Sale | Active | 01/06/2009 | 11974479 | UTSD:1845US | \$25.00 | \$91,375.00 |
| Sale | Active | 01/09/2009 | 10565414 | ESSR:103US/10600581 | \$1,730.00 | \$89,645.00 |
| Sale | Active | 01/12/2009 | 11301277 | SEMB:037US | \$440.00 | \$89,205.00 |
| Sale | Active | 01/12/2009 | PCT/US08/87762 | ASUR:038WO | \$1,680.00 | \$87,525.00 |
| Sale | Active | 01/13/2009 | 11248016 | IOWA:073US/10510278 | \$130.00 | \$87,395.00 |
| Sale | Active | 01/14/2009 | 10488828 | ONCO:004US/10616201 | \$130.00 | \$87,265.00 |
| Sale | Reversed | 01/22/2009 | 10599946 | ESSR:126US/10613616 | \$460.00 | \$86,805.00 |
| Sale | Active | 01/27/2009 | 09603510 | UHGC:1104US | \$1,620.00 | \$85,185.00 |
| Sale | Active | 01/27/2009 | 11876612 | CLFR:177USD2/10715998 | \$110.00 | \$85,075.00 |
| Sale | Active | 01/29/2009 | 11948672 | CLFR:278US | \$135.00 | \$84,940.00 |
| Replenishment | Completed | 01/30/2009 | E-REPLENISHMENT | | \$-3,204.00 | \$88,144.00 |
| Adjustment | Active | 01/30/2009 | 10599946 | ESSR:126US/10613616 | \$-460.00 | \$88,604.00 |

(*) indicates that a single payment paid for multiple items or multiple payments paid for a single item.



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Transaction Details

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Type:

Sale

Status:

Active

Accounting Date:

01/09/2009

Name/Number:

10565414

Attorney Docket Number:

ESSR:103US/10600581

Sale Items

| Name/Number | Attorney Docket Number | Status | Quantity | Item Total | Payment Amount | Fee Code | Description |
|-------------|------------------------|--------|----------|------------|----------------|----------|--|
| 10565414 | ESSR:103US/10600581 | Active | 1 | \$0.00 | \$1,730.00 | 1254 | EXTENSION FOR RESPONSE WITHIN FOURTH MONTH |

Payment Details

| Payment Type | Total Payment Amount | Payment Date | Payment Amount (this sale) |
|-----------------|----------------------|--------------|----------------------------|
| Deposit Account | \$1,730.00 | 01/09/2009 | \$1,730.00 |

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APPENDIX B



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Transaction Details

| |
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Type: Sale
Status: Active
Accounting Date: 12/16/2008
Name/Number: 10565414
Attorney Docket Number: ESSR:103US/10600581

Sale Items

| Name/Number | Attorney Docket Number | Status | Quantity | Item Total | Payment Amount | Fee Code | Description |
|-------------|------------------------|--------|----------|------------|----------------|----------|--|
| 10565414 | ESSR:103US/10600581 | Active | 1 | \$1,730.00 | \$1,730.00 | 1254 | EXTENSION FOR RESPONSE WITHIN FOURTH MONTH |

Payment Details

| Payment Type | Total Payment Amount | Payment Date | Payment Amount (this sale) |
|--------------|----------------------|--------------|----------------------------|
| Credit Card | \$1,730.00 | 12/16/2008 | \$1,730.00 |

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